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VIA FACSIMILE to 703-872-9306

December 3, 2004

1 page DEC 03 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
Timothy A. Bird, G. Duke Virca,
Unja Martin and Dirk M. Anderson

Docket No.: 2923-US

Serial No.: 09/980,464

Examiner: Sheridan Swope

Filed: March 19, 2002

Art Unit: 1652

For: NOVEL MURINE AND HUMAN KINASES

RESPONSE TO RESTRICTION REQUIREMENTMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

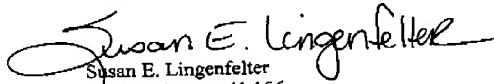
Dear Sir:

This paper is filed in response to the Office Action dated October 4, 2004, in which the Examiner required restriction of the elected invention to the subject matter of one of the following five (5) groups of claims:

- | | |
|-----------|---|
| Group I | claims 1-4, 7-10, drawn to a polypeptide kinase, a polynucleotide, a vector, and a host cell encoding therefore, and a method of expression thereof |
| Group II | claims 5 and 6, drawn to an antibody to a polypeptide kinase |
| Group III | claim 11, drawn to a method for designing an inhibitor of a polypeptide kinase |
| Group IV | claims 12-15, drawn to a method for testing a compound for modulation of a polypeptide kinase |
| Group V | claims 16-20, drawn to a method for inhibiting a polypeptide kinase by blocking binding of the kinase to a substrate |

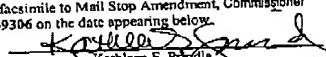
Applicants elect the claims of **Group I**, without traverse, for examination. If any issues exist which would hinder allowance of the elected claims, the Examiner is invited to telephone the undersigned representative of the Applicants, to discuss resolution thereof.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION VIA FACSIMILE

I hereby certify that this correspondence is being submitted via facsimile to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at 703-872-9306 on the date appearing below.

December 3, 2004
Date
Kathleen F. Phelan